

REMARKS

Applicants thank the Examiner for acknowledging the claim for priority under 35 U.S.C. § 119, and receipt of a certified copy of the priority document submitted October 21, 2003.

Applicants thank the Examiner for indicating that the Formal Drawings filed May 27, 2004 are accepted.

Status of the Application

Claims 1 and 4-11 are all the claims pending in the Application, as claims 4-11 are hereby added, and as claims 2 and 3 are hereby cancelled without prejudice or disclaimer. The features of cancelled claims 2 and 3 are hereby incorporated into independent claims 1.

Claims 1-3 were rejected in the December 29, 2005 *Office Action*.

Specification Objection

The Examiner has objected to the Specification for various informalities. The informalities noted by the Examiner have been corrected according to the Examiner's helpful suggestions. Thus, Applicants respectfully request withdrawal of this objection.

Obviousness Rejection

The Examiner has rejected, under 35 U.S.C. § 103(a): (1) claims 1 and 2 as being unpatentable over *Burnell-Jones* (US 6,599,444 B2; hereinafter "*Burnell-Jones*") in view of *Anderson et al.* (US 6,030,673; hereinafter "*Anderson*"); and (2) claim 3 as being unpatentable over *Burnell-Jones* and *Anderson* in further view of *Laroche* (US 5,348,763; hereinafter "*Laroche*"). These rejections are respectfully traversed.

First, Applicants respectfully submit that the rejection of independent claim 1 is improper because one of ordinary skill in the art at the time of the invention (“one of skill”) would not have been motivated to modify *Burnell-Jones* in view of *Anderson* (with or without *Laroche*).

Specifically, the Examiner takes the position that *Burnell-Jones* discloses many of the features recited in independent claim 1, but fails to teach or suggest “the mixture percentage by volume of the hollow glass sphere to the bulk molding compound.” Applicants agree that *Burnell-Jones* is deficient at least in this regard.

Nevertheless, the Examiner applies *Anderson*, alleging that this reference discloses:

that hollow glass sphere use in injection molding can help to control the specific heat, the density, the strength, and the texture of the final molded articles (Col. 7, lines 55-58) ... [and] can be added to the bulk molding compound in a range from about 25 to 55% by volume ... (Col. 36, lines 31-37) to reduce the cost of making an article (Col. 7, line 26).

In view of the above, the Examiner further alleges that one of skill would have modified *Burnell-Jones* in view of *Anderson* “to help reduce the cost to produce [*Burnell-Jones*’s] reflector, and at the same time, increase[] the strength, the texture, the weight, and the ability to withstand high temperature.”

Applicants respectfully disagree with the Examiner’s analysis of *Anderson* as being at all relevant to *Burnell-Jones*. *Anderson* is not directed to the use of hollow spheres in a matrix utilizing a polyester blend such as disclosed in *Burnell-Jones* (as specified in col. 7, lines 64-66 of *Burnell-Jones*). Rather, *Anderson* is directed exclusively to compositions for recyclable manufacturing packaging materials that are based on **starch-based binders** (*i.e.*, natural

carbohydrate chains manufactured by plants) and inorganic filler (col. 11, line 66 - col. 12, line 2). In fact, *Anderson* specifically indicates that its composition is **better** than compositions utilizing plastic (col. 10, lines 1-6). Accordingly, *Anderson's* glass spheres are only disclosed as being used with the starch-based binder material of *Anderson*, and **not within a polyester blend** as disclosed by *Burnell-Jones*.

Further, *Laroche*, does not provide the missing motivation, as it provides no teaching or suggestion to use *Anderson's* glass spheres with the polyester blend of *Burnell-Jones*.

Accordingly, Applicants respectfully disagree with the Examiner's assertion that one of skill would have been motivated to modify *Burnell-Jones* to provide any particular amount of spheres in view of *Anderson's* disclosure.¹

Second, even if it were possible to modify *Burnell-Jones* in view of *Anderson* (with or without *Laroche*) as the Examiner has alleged, Applicants respectfully submit that none of the applied references, nor any combination thereof, teaches or suggests that: (1) "the bulk molding compound has a total inorganic filler content in a volume ratio of 1.0 to 2.5 to the matrix resin," as recited in independent claim 1.

Specifically, the bulk molding compound (BMC) of the invention is recited as being used in the formation of a lamp reflector. Such a lamp reflector has very particular problems related

¹ It has long been held that the Examiner must "show reasons that the skilled artisan, confronted with the same problems as the inventor and with no knowledge of the claimed invention, would select the elements from the cited prior art references for a combination in the manner claimed." *In re Rouffet*, 47 USPQ2d 1453 (Fed.Cir. 1998). The mere fact that references can be "combined or modified does not render the resultant combination [or modification] obvious unless the prior art also suggests the
...(footnote continued)

to its function. Thus, as discussed on p. 4 of the instant Application, the total inorganic filler content in a volume ratio to the matrix resin is well scrutinized and defined in its lower and upper limits so as to keep sufficient dimensional stability, and avoid voids or burns which affect the surface smoothness of a BMC molded part used for the reflector of the vehicle lamp. Further, controlling the mixture of the materials by volume ratio turns out a good result in terms of the strict design rule being required such as forming a reflector. None of the applied references recognizes these problems, nor teaches or suggests the particularly claimed volume ratio to achieve the improvements of the claimed subject matter.

Thus, Applicants respectfully submit that independent claim 1 is patentable over the applied references. Further, Applicants respectfully submit that rejected dependent claims 2 and 3 are allowable, *at least* by virtue of their dependency.

Thus, Applicants respectfully request that the Examiner withdraw this rejection.

New Claims

Claims 4-11 are hereby added.

Claims 4 and 5 are: (1) dependent from independent claim 1; (2) fully supported by the instant Application as filed; and (3) respectfully submitted to be allowable both by virtue of their dependency, and by virtue of the features recited therein.

Claim 6 is: (1) independent; (2) fully supported by the instant Application as filed; and (3) respectfully submitted to be allowable by virtue of the features recited therein.

desirability of the combination [or modification].” *In re Mills*, 916 F.2d 680 (Fed.Cir. 1990); MPEP
...(footnote continued)

Claims 7 and 8 are: (1) dependent from new independent claim 6; (2) fully supported by the instant Application as filed; and (3) respectfully submitted to be allowable both by virtue of their dependency, and by virtue of the features recited therein.

Claim 9 is: (1) independent; (2) fully supported by the instant Application as filed; and (3) respectfully submitted to be allowable by virtue of the features recited therein.

Claims 10 and 11 are: (1) dependent from new independent claim 9; (2) fully supported by the instant Application as filed; and (3) respectfully submitted to be allowable both by virtue of their dependency, and by virtue of the features recited therein.

Conclusion

In view of the foregoing, it is respectfully submitted that claims 1 and 4-11 are allowable. Thus, it is respectfully submitted that the application now is in condition for allowance with all of the claims 1 and 4-11.

If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Amendment Under 37 C.F.R. § 1.111
U.S. Application No. 10/688,933

Attorney Docket # Q78075

Please charge any fees which may be required to maintain the pendency of this application, except for the Issue Fee, to our Deposit Account No. 19-4880.

Respectfully submitted,



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Date: March 29, 2006